

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

---

DAVID BOWERS,

Plaintiff,

v.

Case No. 07-C-1

WILLIAM POLLARD, et al.,

Defendants.

---

**ORDER**

---

Plaintiff David Bowers has filed a “motion for mandamus” as well as a letter responding to a letter in opposition filed by the assistant attorney general. The AAG is correct that the motion should be denied. Much of it the motion appears to seek some sort of relief against Bowers’ parole agent, but that sort of relief is not available in this § 1983 action. Instead, it seems the underlying point of Bowers’ filings is that he has been incarcerated in jail and is therefore unable to comply with this court’s deadlines on the defendants’ pending motion for summary judgment. As noted in earlier orders, however, the facts underlying Bowers’ claim are not particularly complex. Moreover, he should not require extensive legal research in order to counter the defendants’ motion for summary judgment.

Nevertheless, I conclude that his recent incarceration has presented a sufficient basis to allow an extension of time. Bowers may respond to the motion for summary judgment by November 1, 2007; failure to do so will result in a ruling based on the record as it presently stands. The defendants will have until November 16 to file a reply brief, if any.

Accordingly, the motion for mandamus is **DENIED**, but the deadlines for the pending summary judgment motion are amended as set forth above.

**SO ORDERED** this 27th day of September, 2007.

s/ William C. Griesbach

William C. Griesbach  
United States District Judge